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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,815	03/10/2004	Yoshifumi Shiba	884A.0042.U1(US)	7106
29683	7590	06/07/2006	EXAMINER	
HARRINGTON & SMITH, LLP			KO, TONY	
4 RESEARCH DRIVE			ART UNIT	
SHELTON, CT 06484-6212			PAPER NUMBER	
			2878	

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/798,815

Applicant(s)

SHIBA, YOSHIFUMI

Examiner

Tony Ko

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 6-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 6-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/21/06 has been entered.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the digital, PDA and mobile phone must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

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consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

4. Claims 14, 15, 25-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant fails to disclose how the claimed invention is incorporated into portable devices and camera.

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 6-23 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Fujii (U.S. Patent Publication 20020122121).

6. Regarding claim 1, Fujii discloses (Fig. 5) a system for displaying an image captured by a sensor array, the system comprising: a buffer (313) for storing an output from a first plurality of sensors of a sensor array (303); means for processing (200) the stored output to create an image corresponding to an output from a plurality of sensors within a first area of the sensor array, wherein the plurality of sensors within the first area of the sensor array are a subset of the first plurality of sensors; means for displaying the image (10) ; a memory for receiving and storing the image (91); and means for changing the image displayed by translating the first area (224).

7. Regarding claim 6, Fujii discloses a display (10) for displaying the image corresponding to the output from the plurality of sensors within the first area of the sensor array.

8. Regarding claim 7, Fujii discloses a user input device (230) for controlling the translation of the first area within the sensor array.

9. Regarding claim 8, Fujii discloses the user input device controls translation in a first direction and, independent translation in a second direction, substantially perpendicular to the first direction. That is, the first translation is moving the cursor vertically and the second direction is horizontally translated.

10. Regarding claims 9 and 10, Fujii discloses the first user input devices additionally arranged to resize (232) the first area (Zoom).

11. Regarding claim 11, the means for displaying an image comprises a processor (system control unit).

12. Regarding claims 14 and 15, Fujii discloses the system is incorporated in a digital camera.

13. Regarding claim 16, Fujii discloses wherein said resizing corresponds to a digital zoom. That is, the resizing of the image is processed after the image signal passes through the analog to digital converter thus the resizing is done digitally.

14. Regarding claim 17, Fujii discloses wherein said translating of said first area is accomplished by a command (user input).

15. Regarding claim 18, Fujii discloses wherein resizing forms an image that is larger than said image created by said processing means. (Fig. 17 and Fig. 18).

16. Regarding claim 19, Fujii discloses resizing forms an image that is smaller than said image created by said process means (Fig. 18 is smaller than Fig. 19).

17. Regarding claim 20, Fujii discloses a memory (211a or 91) for receiving and storing the image.

18. Regarding claim 21, Fujii discloses the memory (211) is a built in permanent memory.

19. Regarding claim 22, Fujii discloses the memory (91) is a removable memory.

20. Regarding claim 23, Fujii discloses the memory is for receiving and storing the output from the first plurality of sensors of the sensor array.

21. Regarding claim 25, Fujii discloses the device is the portable handheld device (digital camera).

22. Regarding claim 12, Fujii discloses a method for displaying an image, the method comprising: temporarily storing an output from a first plurality of sensors of a sensor

array (313); processing the stored output to create an image corresponding to an output from a plurality of sensors within a first area of the sensor array, wherein the plurality of sensors within the first area of the sensor array are a subset of the first plurality of sensors; displaying (10) the image corresponding to an output from the plurality of sensors within the first area of the sensor array; receiving and storing the image in a memory (91); and displaying a different image in response to a user input that is equivalent to translating the first area within the sensor array

23. Regarding claim 13, Fjuii discloses a system for displaying an image, the system comprising: a buffer (313) for storing an output from a first plurality of sensors (CCD) comprising an  $N \times M$  array of light sensors, a processor for processing the stored output to create an image comprising an  $n \times m$  (displayed by the LCD) array of pixels corresponding to an output from an  $n \times m$  subset of the  $N \times M$  array of light sensors, wherein the  $n \times m$  subset of light sensors are a subset of the first plurality of sensors, and for controlling a display to display the image, wherein the corresponding  $n \times m$  subset is changeable in response to a user input to vary the image for display (230); and a memory for receiving and storing the image (91).

### ***Claim Rejections - 35 USC § 103***

24. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

25. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii.

26. Regarding claim 24, Fujii discloses the invention set forth above. Fujii does not disclose the user input device is connected to the means for processing via a wireless link. It is well known to use a wireless link between the controller and the process device. It would have been obvious to a person of ordinary skill in the art at the time of the invention to connect the means for processing via a wireless link to give user the flexibility to control the device from a remote location.

27. Regarding claims 26 and 27, Fujii discloses the invention set forth above. Fujii does not disclose the system is incorporated in a mobile phone or a personal digital assistant. It is well known to implement the device into a mobile phone or personal digital assistant. It would have been obvious to a person of ordinary skill in the art at the time of the invention to place the system in mobile phone or PDA to allow users to capture images at will.

28. Regarding claims 28 and 29, Fujii discloses the invention set forth above. Fujii does not disclose what type of removable memory is used. It is well known to use a secure digital card or a microdrive as a removable memory. It would have been obvious to a person of ordinary skill in the art at the time of the invention to use SD card or microdrive to store the data for the user to access it.

### ***Response to Arguments***

29. Applicant's arguments with respect to claims 1 and 6-29 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Ko whose telephone number is 571-272-1926.

The examiner can normally be reached on Monday-Friday 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TKO

  
THANH X. LUU  
PRIMARY EXAMINER